

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**IN RE: DDAVP INDIRECT PURCHASER  
ANTITRUST LITIGATION**  
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**No. 05 Civ. 2237 (CS)**

**HON. CATHY SEIBEL, U.S.D.J.**

**THIS DOCUMENT RELATES TO:**

**ALL ACTIONS**  
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**DECLARATION OF KEVIN B. LOVE IN SUPPORT OF PLAINTIFFS' MOTION  
FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT  
OF EXPENSES FILED ON BEHALF OF CRIDEN & LOVE, P.A.**

I, Kevin B. Love, declare and state as follows:

1. I am a Partner of the law firm of Criden & Love, P.A., one of the counsel to Plaintiffs in this litigation. I am over 18 years of age and competent to testify as to the matters and facts set forth herein. I submit this Declaration in support of Plaintiffs' Motion For An Award Of Attorneys' Fees And Reimbursement Of Expenses, concerning services rendered and expenses incurred by my firm in connection with this litigation on behalf of Plaintiffs. The matters stated in this declaration are true based on my personal knowledge. If called upon to testify about them, I will competently do so.

2. During the period January 1, 2005 through August 30, 2013, my firm has been involved in the following activities on behalf of Plaintiffs: As one of the Lead Counsels, my firm has overseen the prosecution of this entire case, which has included, investigation of case and legal research, drafting complaints and other pleadings, drafting discovery requests, engaging in meet and confers, reviewing defendant's and third-party document productions, responding to motions to dismiss, consulting with an expert regarding damages, attending hearings, acting as liaison with the State Attorneys General, responding to Defendants' appeal, moving to vacate the judgment, filing a notice of appeal, drafting stipulation while on appeal, responding to a motion to transfer the appeal to the Federal Circuit, and settling the Action (which included negotiating the settlement, drafting the settlement papers, preparing the proposal for allocation, and overseeing notice of the settlement). Furthermore, my firm represents Vista Healthplan, Inc. k/n/a Coventry Health Care of Florida, Inc., so my firm was responsible for keeping Vista updated on all material events in the Action.

3. The schedule attached hereto as **Exhibit 1** is a detailed summary indicating the amount of time spent by the partners, attorneys and other professional support staff of my firm who were involved in this litigation, and the lodestar calculation based on my firm's current

billing rates for the period January 1, 2005 through August 30, 2013. The schedule was prepared from contemporaneous, daily time records regularly prepared and maintained by my firm and which are available for review by the Court.

4. The hourly rates for the partners, attorneys and professional support staff in my firm included in **Exhibit 1** are the same as the usual and customary hourly rates charged for their services in non-contingent billable matters.


5. The total number of hours expended on this litigation by my firm from January 1, 2005 through August 30, 2013 is 1,725.75 hours. The total lodestar for my firm is \$1,044,842.50. My firm's lodestar figures are based on the firm's current billing rates.

6. As detailed in **Exhibit 2**, my firm has incurred a total of \$28,023.90 in unreimbursed expenses during January 1, 2005 through August 30, 2013, in connection with the prosecution of this litigation on behalf of Plaintiffs.

7. The expenses incurred in this action are reflected on the books and records of my firm. These books and records are prepared from contemporaneously maintained expense vouchers, check records and other source materials, and they represent an accurate recordation of the expenses incurred.

I declare under penalty of perjury under the laws of the United States of America and on personal knowledge that the foregoing is true and correct.

Executed on this 14th day of October, 2013.

  
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KEVIN B. LOVE

**In re DDAVP Indirect Purchaser Antitrust Litigation****TIME SUMMARY****FIRM NAME:****REPORTING PERIOD: January 1, 2005 through August 30, 2013**

## Categories:

[1] Investigations, Factual Research  
 [2] Discovery  
 [3] Pleadings, Briefs and Pretrial Motions  
 (Including Legal Research)  
 [4] Court Appearances

[5] Settlement  
 [6] Litigation Strategy and Analysis and Case  
 Management  
 [7] Class Certification

[P] Partner  
 [A] Associate  
 [LC] Law Clerk  
 [PL] Paralegal  
 [L] Librarian  
 [I] Investigator

Attorney/ Paralegal [Status]	[1]	[2]	[3]	[4]	[5]	[6]	[7]	HOURLY RATE	CURRENT LODESTAR	CUMULATIVE HOURS	CUMULATIVE LODESTAR
ANDREW, JASON G.	0.00	0.25	93.75	0.00	17.25	15.00	0.00	\$375.00	\$47,343.75	126.25	\$47,343.75
CRIDEN, MICHAEL E.	7.25	1.25	8.75	0.00	17.50	20.50	0.00	\$650.00	\$35,912.50	55.25	\$35,912.50
LOVE, KEVIN B.	21.50	68.50	485.00	95.50	158.50	558.50	0.00	\$650.00	\$901,875.00	1387.50	\$901,875.00
LUCAS, KIM	0.00	0.00	0.75	0.00	0.00	1.50	0.00	\$400.00	\$900.00	2.25	\$900.00
MIGDAL, JOSHUA A.	0.00	81.00	47.50	0.00	0.00	9.25	0.00	\$375.00	\$51,656.25	137.75	\$51,656.25
TRUJILLO, NICOLE	0.00	0.00	1.50	0.00	0.00	0.00	0.00	\$195.00	\$292.50	1.50	\$292.50
ZUCCONI, KARL	0.00	0.00	12.25	0.00	3.00	0.00	0.00	\$450.00	\$6,862.50	15.25	\$6,862.50
<b>TOTALS:</b>	<b>28.75</b>	<b>151.00</b>	<b>649.50</b>	<b>95.50</b>	<b>196.25</b>	<b>604.75</b>	<b>0.00</b>			<b>1,725.75</b>	<b>\$1,044,842.50</b>

**In re DDAVP Indirect Purchaser Antitrust Litigation****EXPENSE SUMMARY****FIRM NAME: CRIDEN & LOVE, P.A.****REPORTING PERIOD: January 1, 2005 through August 30, 2013**

<b>DESCRIPTION</b>	<b>CUMULATIVE TOTAL</b>
Assessment Payment to Plaintiffs' Common Fund	\$0.00
Commercial Copies	\$0.00
Internal Reproduction/Copies	\$4,510.25
Court Fees (filing, etc.)	\$190.00
Court Reporters/Transcripts	\$0.00
Computer Research	\$6,472.33
Telephone/Fax/Email	\$4,965.82
Postage/Express/Delivery/Messenger	\$2,161.25
Professional Fees (expert, investigator, accountant, etc)	\$0.00
Process Service	\$0.00
Travel: Air Transportation, Ground Travel, Meals, Lodging, etc.	\$9,724.25
Clerical Overtime	\$0.00
Miscellaneous/Other:	\$0.00
<b>TOTAL EXPENSES</b>	<b>\$28,023.90</b>